



# STATE OF WISCONSIN Assembly Journal

## Ninety-Eighth Regular Session

---

MONDAY, February 25, 2008

---

The Chief Clerk makes the following entries under the above date:

---

### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 182** offered by committee on **Transportation**.

Assembly substitute amendment 3 to **Assembly Bill 185** offered by Representative Townsend.

Assembly amendment 2 to **Assembly Bill 495** offered by Representative Mursau.

Assembly substitute amendment 1 to **Assembly Bill 682** offered by Representative Albers.

Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 682** offered by Representative Albers.

Assembly substitute amendment 1 to **Assembly Bill 698** offered by committee on **Aging and Long Term Care**.

Assembly amendment 1 to **Assembly Bill 739** offered by Representative Zipperer.

Assembly amendment 1 to **Assembly Bill 782** offered by Representative Kerkman.

Assembly amendment 1 to **Assembly Bill 805** offered by committee on **Property Rights**.

Assembly amendment 1 to **Assembly Bill 809** offered by Representative Jeskewitz.

Assembly amendment 1 to **Assembly Bill 825** offered by Representative Petrowski.

Assembly amendment 1 to **Assembly Bill 835** offered by Representative Gottlieb.

Assembly amendment 1 to **Assembly Bill 865** offered by Representatives Petrowski and Seidel.

---

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 07–106**

Relating to plat review fees.

Submitted by Department of Administration.

Report received from Agency, February 11, 2008.

To committee on **Housing**.

Referred on February 25, 2008.

---

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 106**

Relating to: the right of the people to contract privately for health care services and health care coverage and prohibiting requiring a person to participate in a state-sponsored health care system or plan (first consideration).

By Representatives Vukmir, LeMahieu, Strachota, Murtha, Montgomery, Gunderson, Nass, Vos, Lothian, F. Lasee, Nygren, Kramer, Zipperer, Friske, Suder, Pridemore, Mursau, Honadel, Tauchen, Moulton, M. Williams and Albers; cosponsored by Senators Kanavas and A. Lasee.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 871**

Relating to: health insurance without mandated benefits, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Representatives Vukmir, F. Lasee, Nygren, Kramer, Moulton, Zipperer, Vos, Lothian, Petersen, Bies, Albers, A. Ott, LeMahieu, Newcomer, Pridemore and M. Williams; cosponsored by Senators A. Lasee and Darling.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 872**

Relating to: disclosure of information by health care providers, insurers, and governmental self-insured plans; requiring acceptance by a health care provider of a payment amount in certain circumstances; and requiring the exercise of rule-making authority.

By Representatives Vukmir, Moulton, Kramer, F. Lasee, Zipperer, Nygren, Vos, Montgomery, Strachota, Van Roy, Kestell, Mursau, Gunderson, Wood, Kerkman, Honadel, Fields, Lothian, Petersen, Bies, Jeskewitz, Albers, A. Ott, LeMahieu, Newcomer, Ziegelbauer, Petrowski, Davis, Pridemore and M. Williams; cosponsored by Senators Kanavas, Lazich, Roessler and Darling.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 873**

Relating to: allowing out-of-state insurers to offer health care plans that are exempt from certain laws to employers and individuals in this state.

By Representatives Vukmir, F. Lasee, Nygren, Kramer, Moulton, Kerkman, Zipperer, Vos, Lothian, Bies, Albers, LeMahieu, Newcomer, Pridemore and M. Williams; cosponsored by Senators A. Lasee and Darling.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 874**

Relating to: the sale of stolen property on the Internet and providing a penalty.

By Representatives Albers and Kleefisch.

To committee on **Criminal Justice**.

#### **Assembly Bill 875**

Relating to: certification of major party nominees for the offices of president and vice president in 2008.

By Representative Huebsch; cosponsored by Senator S. Fitzgerald.

To committee on **Rules**.

---

### **COMMITTEE REPORTS**

The committee on **Aging and Long Term Care** reports and recommends:

#### **Assembly Bill 698**

Relating to: background checks for personal care workers.

Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Townsend, LeMahieu, Strachota, Petersen, Kramer, Krusick, Gronemus, Hintz, Pope–Roberts and Hixson.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Townsend, LeMahieu, Strachota, Petersen, Kramer, Krusick, Gronemus, Hintz, Pope–Roberts and Hixson.

Noes: 0.

To committee on **Rules**.

*JOHN TOWNSEND*

Chairperson

Committee on Aging and Long Term Care

The committee on **Children and Family Law** reports and recommends:

#### **Assembly Bill 489**

Relating to: the disclosure to a birth parent whose parental rights to his or her birth child were terminated of identifying information about the birth child and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

To joint committee on **Finance**.

#### **Assembly Bill 572**

Relating to: notice of intent to remove a child from the home of a relative, review of decisions or orders involving the placement and care of a child placed in the home of a relative, and independent child abuse or neglect investigations when the subject of the investigation is a relative in whose home a child is placed.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 663**

Relating to: child abuse and neglect prevention grants.

Passage:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 676**

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other prosecutors, and agencies providing services to a juvenile court and providing a penalty.

Passage:

Ayes: 8 – Representatives Owens, Pridemore, Albers, Jeskewitz, Kleefisch, Grigsby, Seidel and Berceau.

Noes: 0.

To committee on **Rules**.

*CAROL OWENS*

Chairperson

Committee on Children and Family Law

The committee on **Financial Institutions** reports and recommends:

#### **Assembly Bill 816**

Relating to: repealing and recreating the Wisconsin Uniform Securities Law, granting rule-making authority, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Kramer, Kestell, Zepnick, Smith, Nelson and Hixson.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Kramer, Kestell, Zepnick, Smith, Nelson and Hixson.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 827**

Relating to: mortgage bankers, mortgage brokers, and loan originators.

Passage:

Ayes: 10 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Kramer, Kestell, Zepnick, Smith, Nelson and Hixson.

Noes: 0.

To committee on **Rules**.

*SCOTT NEWCOMER*

Chairperson

Committee on Financial Institutions

---

The committee on **Jobs and The Economy** reports and recommends:

### **Assembly Bill 67**

Relating to: an education tax credit for businesses.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Strachota, Honadel, Friske, Kerkman, Roth, Sheridan, Toles and Mason.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Strachota, Honadel, Friske, Kerkman, Roth, Toles and Mason.

Noes: 1 – Representative Sheridan.

To committee on **Rules**.

### **Assembly Bill 540**

Relating to: income and franchise tax credits for technology training.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan and Toles.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan and Toles.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan and Toles.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 609**

Relating to: increasing appropriations for nanoscience positions and equipment at the University of Wisconsin–Eau Claire, the University of Wisconsin–Stout, and Chippewa Valley Technical College.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Fields, Toles and Mason.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Fields, Toles and Mason.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 635**

Relating to: creating an income and franchise tax credit for expenses related to nanotechnology and providing an exemption from emergency rule-making procedures.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Fields, Toles and Mason.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Fields, Toles and Mason.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 694**

Relating to: adopting changes to the Internal Revenue Code for state income tax purposes related to deductions for energy efficient commercial buildings.

Passage:

Ayes: 8 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan and Toles.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 741**

Relating to: cleanup and consolidation of Department of Commerce economic development programs, establishing a comprehensive annual reporting requirement, requiring the development of programmatic goals and accountability measures for economic development grants and loans, requiring the exercise of rule-making authority, and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 770**

Relating to: an income and franchise tax credit for research conducted in this state by a corporation and a property and sales and use tax exemption for certain machinery and tangible personal property used to conduct research.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.  
Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.  
Noes: 0.

To committee on **Rules**.

### **Assembly Bill 794**

Relating to: changes to economic development tax benefit programs, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.  
Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Strachota, Honadel, Friske, Kerkman, Nygren, Vos, Sheridan, Fields, Toles and Mason.  
Noes: 0.

To committee on **Rules**.

*PATRICIA STRACHOTA*  
Chairperson  
Committee on Jobs and The Economy

---

The committee on **Small Business** reports and recommends:

### **Assembly Bill 729**

Relating to: disclosure of information by health care providers and insurers and providing a penalty.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Moulton, Murtha, Townsend, Van Roy, Ballweg, Fields, Hilgenberg, Hebl and Soletski.  
Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Moulton, Murtha, Townsend, Van Roy, Ballweg, Fields, Hilgenberg, Hebl and Soletski.  
Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Moulton, Murtha, Townsend, Van Roy, Ballweg, Fields, Hilgenberg, Hebl and Soletski.  
Noes: 0.

To committee on **Rules**.

### **Assembly Bill 760**

Relating to: registration of professional employer organizations, requiring the exercise of rule-making authority, and providing a penalty.

Passage:

Ayes: 7 – Representatives Moulton, Murtha, Townsend, Van Roy, Ballweg, Fields and Hilgenberg.  
Noes: 2 – Representatives Hebl and Soletski.

To committee on **Rules**.

*TERRY MOULTON*  
Chairperson  
Committee on Small Business

---

The committee on **Transportation** reports and recommends:

### **Assembly Bill 2**

Relating to: operators' license requirements for certain drivers and for certain drivers' tests and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.  
Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Sheridan, Sherman and Garthwaite.  
Noes: 1 – Representative Vruwink.

To joint committee on **Finance**.

### **Assembly Bill 164**

Relating to: vehicle weight limitations.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.  
Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.  
Noes: 0.

To committee on **Rules**.

### **Assembly Bill 182**

Relating to: maintaining records of certain driving offenses related to operating a motor vehicle while intoxicated.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 2 – Representatives Gottlieb and Steinbrink.

To committee on **Rules**.

### **Assembly Bill 538**

Relating to: special distinguishing registration plates for groups that are military in nature.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 755**

Relating to: annual or consecutive month permits for overweight vehicle combinations transporting granular roofing material, providing an exemption from emergency rule procedures, and granting rule-making authority.

Assembly Substitute Amendment 2 adoption:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 768**

Relating to: extending the employer notification program administered by the Department of Transportation to noncommercial motor vehicle drivers.

Passage:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 819**

Relating to: single trip permits for the movement of oversize mobile homes, manufactured homes, and modular homes.

Passage:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 825**

Relating to: nonmoving traffic violations involving rented or leased vehicles, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Passage:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 826**

Relating to: driver education instruction and driver's license examinations.

Passage:

Ayes: 12 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

*JERRY PETROWSKI*

Chairperson

Committee on Transportation

The committee on **Urban and Local Affairs** reports and recommends:

### **Assembly Bill 553**

Relating to: limiting the use of the lowest responsible bidder process and requiring local units of government to use the qualification-based selection process for certain public works consulting contracts.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 – Representatives Gottlieb, LeMahieu, Lothian, Pridemore, Berceau, Turner, Hintz and Parisi.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Gottlieb, LeMahieu, Lothian, Pridemore, Berceau and Parisi.

Noes: 2 – Representatives Turner and Hintz.

To committee on **Rules**.

### **Assembly Bill 673**

Relating to: receivership for abatement of residential nuisances.

Passage:

Ayes: 8 – Representatives Gottlieb, LeMahieu, Lothian, Pridemore, Berceau, Turner, Hintz and Parisi.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 803**

Relating to: exempting nonprofit camps from certain town sanitary district or town assessments.

Passage:

Ayes: 8 – Representatives Gottlieb, LeMahieu, Lothian, Pridemore, Berceau, Turner, Hintz and Parisi.

Noes: 0.

To committee on **Rules**.

*MARK GOTTLIEB*

Chairperson

Committee on Urban and Local Affairs

---

The committee on **Veterans and Military Affairs** reports and recommends:

### **Assembly Bill 727**

Relating to: markers for military memorial highways and bridges.

Passage:

Ayes: 7 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Hubler and Turner.

Noes: 2 – Representatives Sherman and Boyle.

To committee on **Rules**.

### **Assembly Bill 810**

Relating to: eligibility for veterans housing loan.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

To committee on **Rules**.

*TERRY MUSSER*

Chairperson

Committee on Veterans and Military Affairs

---

## **COMMUNICATIONS**

February 25, 2008

Patrick Fuller

Assembly Chief Clerk

17 West Main Street, Suite 401

Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author to Assembly Bill 871 and Assembly Bill 873.

Sincerely,

*PHIL MONTGOMERY*

State Representative

4th Assembly District